G. R. S. IX-5]

Previous references.

1898-99

192

(CL)

File No. 9-98

Serial Nos 189

Later references.

DA 48-21 at 374

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 189

Part B for March 1893

SUBJECT.

Authority for circulating privilege leave to the Judges of the Chief Court of Mysore

---

To the Registrar Chief Court of Mysore

Comptroller

No 15037-8 dt 13-3-1893

Sanctioning the amendment proposed by the Chief Judge

Endorsed

23/3/93

WD 1888—GPB—16,926—23-7-21

(General Serial No. 29.) 6086

1885. 5-8

From The Offg Chief Judge of Mysore

To 66-1

The Secretary to the Dewan to His Highness the Maharaja of Mysore.

Dated 14th November 1888

Despatched "

Received

Enclosures No.

General No. 5722 / No. 92 188 —8.

Requesting that instructions may be issued & the completion in regard to the privilege leave required by Hon'ble Ramachendra Iyer Judge of that Court.

As regards Privilege leave of Judges of Chief Ct. S. 36 of Chap IV. Civil leave Code 6th Edn shall be held to apply 26/11/88.

Draft rep as above & Enclosures to Comptroller for info & guidance 26/11/88

No 5422
92.

L.9-55-1 6666
58

(1)

Bangalore 14th Novr 1888.

From:

J. R. A. Thumboo Chetty Esquire
Offg: Chief Judge of Mysore.

To

R. Sheshadri Iyer Esquire, C.S.I.
Dewan of Mysore.

Sir

I have the honor to state that Mr Ramachendra Iyer, Judge of this Court, intends applying for privilege leave for 3 months from the date of the reopening of the Courts after the Christmas holidays. The Comptroller, who has been consulted in the matter, has, in his letter No 2488 dated 13th instant, expressed a doubt as to which of the Rules contained in Chapter II of the Civil Leave Code are applicable to the Judges of the Chief Court.

Copy herewith forwarded

2. It appears to me that the Rules contained in Section 36 of the said Chapter may be

be made applicable to the Judges of this Court, other than acting incumbents, and, if this proposal meets with the approval of Government, I request the favor of the necessary instructions being issued to the Comptroller.

I have the honor to be,

Sir,

Your most obdt servant,

A. Thurston Chetty

Acting Chief Justice

Asst

Office of the Comptroller of Mysore

No: 2488. Bangalore 13th November 1884.

From,

C.S. 68

A. Rangaswamaiengar Esquire

Comptroller of Mysore

(a)

To,

The Registrar of the

Chief Court:

Mysore.

Sir,

With reference to your No: 5374/28 dated 13th instant, I have the honor to state that no orders have been passed by the Mysore Government as to the Leave Rules applicable to the Judges of the Chief Court. If the provisions of the Leave Code, Chapter IV, are applied in their entirety, Mr. A. Ramachandra Iyer would be entitled, under Section 34 (a), to privilege leave only for one month at one time and that

on

on the forfeiture of his full pay unless he had been detained on duty as vacation Judge. But if section 36, which prevailed before the introduction of section 34 (a) and which is analogous to the Rules provided for District and Sessions Judges (see section 73 of the Civil Leave Code) be applied to his case, he will be entitled to 3 months privilege leave on half pay (Vide Rules 3 and 4, section 36)

The rules of Chapter IV have been framed with the special object of suiting the convenience of European Officers and principally Barristers, Judges and they are consequently very liberal as regards furlough while so hard in respect of privilege leave. And I may add that if Chapter IV and section 34 (a) should be considered applicable to Chief Court of Mysore, Mr. Ramachendra Iyer

may

may, if he chooses, take furlough, instead of privilege leave, as he would be entitled to a leave allowance of Rupees 700/- per mensem under Section 31.

Yours, &c.,

(Signed) A. Rangasawmaiengar,
Comptroller,
Mysore Government.

"Copy"

Ramakrishna Rao
Registrar.

9

(9)

Ch: 9

Read:-

Letter No. 5422/92 dy. 14th November 1888 from the offg. Chief Judge in Mysore ~~suggesting~~ recommending that the provisions of Sec: 36, Chapter IV of the Civil Leave Code, 6th Edition regarding Privilege leave may be made applicable to the Judges of the Chief Court of Mysore.

Order thereon: Camp No 1888 dated 1st Dec 1888

The provisions of Section 36, Chapter IV, of the Civil Leave Code, 6th Edition, shall be held to apply to privilege leave of the Judges of the Chief Court of Mysore—

To. The Comptroller.

1/12/88

Chief Secy

1888-9

To the Comptroller

Dated 1st December/88.

Camp No 1888

Office of the Dewan of Mysore

Dated Mysore, 1st December 1888.

Camp No. 1889

Fl. 3

(3)

Ch 9

To.

The Chief Judge
in Mysore.

Sir,

In reply to
Mr Tamboo Chettiars' letter no 5422/92 dy. 14th instant,
I have the honor to forward
for information a
copy of Proceedings No 1888
of this day's date, directing
the application of
the provisions of Section
36, Chap: IV, of the
Civil Leave Code, 6th Edition
to the Judges of the Chief
Court of Mysore -

I have &c

1/12.

Dewan

4

Memo 2994

Gl: 7: 197-92

(General Serial No. 30.)

189

From The Chief Judge

To The Chief Secretary to the Dewan of Mysore.

Dated 10th Aug:

Despatched 12th —

Received

Forwarded to the Comptroller for favour of perusal and the submission of a draft addendum to the Service Regulations if necessary.

[sd] T. Ananda Rao
Chief Secretary

Enclosures No.

General No. 3986

No. 111

Requesting that rule 16(b) of Article 600 of the Civil Service Regulations which is in force in British India may be made applicable to the Judges of the Chief Court, as the same appears to have been omitted thro' an oversight in the Mysore Service Regulations.

References to be marked.

Mysore Govt. C. Press, Bangalore.—30-6-92—3000.

2345
31/8/92
& 9848

12

29 AUG. 92
MYSORE.

No. 1398

CA 1 - 68 - 5

OFFICE OF THE COMPTROLLER OF MYSORE.

Bangalore, 29 August 1892.

5

From

~~A. RANGASWAMI IYENGAR, Esq.,~~

The Comptroller of Mysore.

To

The Chief Secretary to the
Dewan of Mysore.

SIR,

With reference to your Memo No. 2994/G.T. 197.92 of the 23rd Instant forwarding for opinion letter No. 3986/111 of the 10 idem from the Chief Judge Mysore, I have the honor to observe that the Privilege leave Rules embodied in the Mysore Service Regulations Article 202 (a) are Rules 18, 19, 20 & 21, under Chapter XXII Article 600 of the Civil Service Regulations which have been specially prescribed for the Officers referred to in Rule 14 thereof, to whom it has been distinctly laid down, that Rule 16 does not apply, inasmuch as the concessions granted to them viz; of drawing half salary during such leave and of taking more than a month at a time limited to 3 months in

all are withheld from the other Judges of High Courts.

Under these circumstances, I am of opinion that clause (b) of Rule 16 is not applicable to the Judges of the Chief Court in addition to the other concessions granted under rules 18 to 21.

I have the honor to be,

Sir,

your most obed.t servant,

[signature]

for Comptroller.

[signature]

(General Serial No. 29.)

1892

From The Chief Judge Mysore

To

The ~~Secretary to the~~ Dewan of Mysore.

Dated 10 Aug/92

Despatched 12-

Received

Enclosures No

General No. 3986 / No. 111 } 188 —8

Requests that Rule 16(b) of Article 600 of the Civil Service Regulations which is in force in British India may be made applicable to the Judges of the Chief Court, as the same appears to have been omitted through an oversight in the Mysore Service Regulations

Genl. Dept. 12/8/92

Proceedings No. 1888 dy 1.12.88. with connected papers put up. HG. 17.8.92.

Memo No. 2994 / ej: 7197-92

Forwarded to the Comptroller for favor of opinion and the submission of a draft addendum to the Service Regulations if necessary.

23rd Aug/92. Chief Secretary

1818

OFFICE OF THE 1607. 12 AUG. 92

COMPTROLLER'S OFFICE 23 AUG. 92 MYSORE

Ej 9-86-6

From comptroller No. 1798 29.8.92

To the same No. 9937 30/12/92

97-197-92

5

No. 3986
111

13

Bangalore 10th August 1892

From

T. R. A. Thumboo Chetty Esqre
Chief Judge in Mysore

To

K. Sheshadri Iyer Esqre, B. S. A
Dewan of Mysore

Sir,

Adverting to the correspondence ending with your Proceedings No. 1888 dated 1st December 1888, I have the honor to request that the Rule quoted in the margin, which is in force in British India, may be made applicable to the Judges of the Chief Court, as the same appears to have been omitted through an oversight in the Mysore Service Regulations.

Article 600 - Rule 16 (b)
"Once in 3 years and not oftener, privilege leave may be prefixed or affixed to the vacation"

I have the honor to be,
Sir,
Your most obedient Servant,

T. R. A. Thumboo Chetty
Chief Judge.

TRA.

Draft for
Abbreviated
Mark 29/12

To,

The Registrar
of the Chief
Court of
Impore

No 9937 dt 30th December 1892.
G. H. 197-92 TO-6-93 Sir,
Gore

I am directed
to acknowledge ~~the~~
receipt of Chief Judge's
letter No 3986/111 dt 10th
August 1892, requesting
~~that~~ rule 16(b) of
article 600 of the
British Civil Service
Regulations (~~as to~~ ~~as~~ ~~for~~ ~~regarding~~
(transcribed in the margin) regarding privilege leave
to Judges of ~~the~~ High
Courts may be made
applicable to the Judges
of the Chief Court of
Impore.

2. In reply I am
directed to forward

X "(b) Once in three years
and not oftener,
privilege leave
may be prefixed or
affixed to the vacation"

From the same evidence: 634 of
16-2-93

Copy of letter No 1398
d/29th August 1892
from the Comptroller
to the Govt of Mysore

H/15

and to request that
the same may be
laid before the
Judges of the Chief
Court and their
opinion ascertained
as to whether they
would choose to
have Rule 16 of
the Civil Service
Regulations extended
to them in its entirety
in preference to
Rule 18 ~~thereof~~
which has been
reenacted in Art
202 A of the Mysore
Service Regulations.

Thanked

Chf Secy

Drafted on Devanr's order
8th Dec 92
Asst

& presuming as his opinion
~~that the rule of~~
the British Civil Service
Regulations alluded to
by the Chief Judge
is not applicable to
the Judges of the Chief
Court in addition to
the other concessions
granted under rules
18 to 21 of Article 600
of the said British
Regulations which are
embodied under article
202 A of the Mysore
Service Regulations;
and to request you
will be good enough
to lay the same before
the Chief Judge for

In reconsideration of the proposal made by him in his letter under acknowledgment.

I have &c.

Undersecy

(General Serial No. 29.)

1893. 9146 17 FEB. 93 G 41 5

From The Registrar of the Chief Court of Mysore

To The Secretary to the Dewan of Mysore.

Dated 16th Feby/93

Despatched 17/2/93

Received 18/2/93

Enclosures No

General No. 634 / No. 19 } 188 —8

Suggests that certain amendment may be made to clause 5 of Article 202 of the Civil Service Regulations.

4. Ref Mr 17/2

Submitted with Sen. file No: 197

18/2 Mr

19/2

Submitted for orders.

The proposed amendment would entitle the Judge to full pay while on privilege leave, on the ground that he attended to duties other than those which devolved upon him as Judge.

23/2/93

To The Same & the Comptroller Mysore Govt 15037-8 9/3/3 / 7197

The proposed amendment is approved (vide amended rule pasted).

Issue as usual

1/3/93

Let 2 notes 2/3

1/3/93

No. 634/19

9146
17/2/93
G 4115.

Bangalore, 16 February 1893

From

The Registrar of the
Chief Court of Mysore.

(7)

To,

The Chief Secretary
to the Dewan of Mysore

Sir,

I am directed to acknowledge receipt of your letter No. 9937 G.F. 197-92 dated 11th December 1892, in regard to Rule 16(b) of Article 600 of the British Civil Service Regulations being made applicable to Judges of the Chief Court, and to state that, as Article 202A, which has been recently added to the Mysore Service Regulations, contains provisions which are liberal enough the Judges deem it unnecessary to ask for any further concessions.

2 - The only amendment that seems necessary is the addition, to clause 5 of Article 202A after the word "Judge" in line 2, of the words "or other Official duties devolving

devolving on him." The Chief Judge, as Inspector General of Prisons and Member of His Highness the Maha Rajah's Council, has to perform the duties appertaining to those offices even during vacation, and the proposed amendment, if approved, may be sanctioned.

I have the honor to be,
Sir,
Your Most Obedient Servant,

Acting Registrar.

221.

Privilege leave in cases of regular vacations to the Judges of the Chief Court of Mysore.

Article 202(a)

* * *

(4) Save as provided in the next succeeding clause (5) a Judge when on privilege leave shall receive half his salary.

(5) A Judge who discharges the duties of vacation Judge or other official duties devolving on him during the whole or any part of a vacation shall be entitled, for each day of such duty, to draw his full salary, for one day of any privilege leave which he may subsequently obtain.

20

Enclosing summons
in blackmail
into Assistant
Amendment in
Detroit

Thos
28/p

Read:— Letter No. 634 of 19

16th February 93, from the Registrar of the Chief Court forwarding for ~~sanction~~ approval to notice that the addition of the manually noted words ~~addition~~ after the word "Judge" in line 2, clause 5, article 202 A of the Jammu Service Regulations is necessary, as the Chief Judge, as Inspector General of Prisons and member of His Highness the Maha Rajah's Council, has to perform the duties appertaining to those offices even during the Chief Court's vacation and soliciting sanction thereto.

⊗ "or other official duties devolving on him"

Esq. to C.C. 9

⊗

Order.

24 ✓

Order thereon No 15037-8 of 17-92 dt 13-3-93

The amendment proposed by the Chief Judge is sanctioned. The Comptroller will publish the necessary addendum to the Insane Lunacy Regulations to mentioned below—

(No)

Page 57

Article 202(A)

After the word "Judge" in line 2 of clause (5) of this article insert— "or other official duties devolving on him"—

Note 13/3

Endorsed

To, The Registrar Chief Judge
Judges
The Comptroller & Auditor
Govt Lunacy